

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
VETERANS AND LEGAL AFFAIRS**

November 2020

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*Committee member for a portion of the session

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 635 amends the laws governing the financing of political campaigns by defining "caucus political action committee" to mean a political action committee designated by a Senate caucus leader or House caucus leader to promote the election of the nominees of the caucus leader's political party to the caucus leader's respective body of the Legislature. A caucus leader is a member of a political party in a body of the Legislature who has been elected the leader of that political party in that body of the Legislature. If the President of the Senate or the Speaker of the House is a member of a political party, the President of the Senate or Speaker of the House is the caucus leader of that political party in the respective body of the Legislature.

Public Law 2019, chapter 635 also ensures consistent use of the term "caucus political action committee" in the campaign finance laws. Under those laws, a caucus political action committee may make unlimited donations to a candidate to fund a recount and, although Maine Clean Election Act candidates are generally prohibited from serving as the treasurer, principal officer, primary fund-raiser or primary decision maker for a political action committee that influences candidate elections, these candidates may engage in fund-raising or decision making for a caucus political action committee.

Public Law 2019, chapter 635 also makes technical changes to the law governing the appointment of members of the Commission on Governmental Ethics and Election Practices. Specifically, in the provisions outlining who has the authority to propose individuals for appointment to the commission, the phrases "appointed leader from each political party in the Senate" and "appointed leader from each political party in the House of Representatives" are replaced with the newly defined terms "Senate caucus leader" and "House caucus leader."

LD 1903 **An Act To Amend the Laws Governing Activities at or near the Polls on Election Day**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B MCCREIGHT J	OTP-AM OTP-AM	

This bill, submitted by the Secretary of State, repeals current statutory provisions governing the activities at polling places on election day and enacts the following new provisions in their place.

1. It establishes a six-foot-wide access corridor from the entrance of the polling place to the guardrail enclosure where voting takes place that must be kept open at all times for the passage of voters and for no other activity.
2. It establishes the space within the polling place and within a 150-foot radius of the polling place, not including any easement over private property, as a campaign-free zone. Within this zone, certain electioneering activities are prohibited, including: attempting to influence another person's decision on a candidate or question on the ballot that year; distributing advertising or campaign materials; soliciting or accepting contributions for a candidate or question that will be on the ballot that year; collecting signatures on candidate nominating petitions; and the wearing of clothing or accessories expressly advocating the election or defeat of any candidate or question on the ballot that day. Other activities are expressly permitted within the campaign-free zone, including: advertising material on a vehicle transporting voters to or from the voting place; exit polling conducted after voters finish voting; the greeting of voters by a candidate or candidate's single representative outside of the access corridor; and the wearing by a voter who is that the polls to vote of clothing or accessories that displays the name of a candidate or a campaign message, as long as the statement does not constitute express advocacy.
3. It authorizes the election warden to assign space within the campaign-free zone for activities related to the

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collection of signatures for a direct initiative or people’s veto referendum that may be placed on the ballot in a future election or an article to be placed on a municipal warrant if space is available, arrangements are made with the municipal clerk prior to election day and signatures are not solicited until after a voter finishes voting.

- 4. It authorizes the warden to direct that a person who engages in prohibited activities be removed from the voting place.
- 5. It requires the Secretary of State to issue interpretive guidelines for use by local election officials, candidates, campaigns and the public.

Committee Amendment "A" (S-409)

This amendment, which is the majority report of the committee, makes the following changes to the bill's restrictions on activities at voting places on election day.

- 1. It clarifies that the restrictions in the bill apply to the voting place on election day and also to municipal clerks' offices when absentee voting may take place.
- 2. It removes the portion of the bill that requires a six-foot-wide access corridor from the entrance of the voting place to the guardrail enclosure where voting takes place.
- 3. It clarifies that, when persons or organizations request space to conduct activities related to the collection of signatures on a petition to qualify a measure for the ballot at a future election, the clerk and the warden may not unreasonably deny those requests. In addition, it clarifies that those requests may be made on the day of the election.
- 4. It adds cross-references to the definitions of "contribution" applicable to candidate campaigns and to ballot question campaigns to clarify the types of contributions that may not be collected within the campaign-free zone at a voting place on election day or within the campaign-free zone at a municipal clerk's office when absentee voting may take place.

Committee Amendment "B" (S-410)

This amendment, which is the minority report of the committee, strikes and replaces the bill and changes the title. The amendment generally preserves current law governing the activities at polling places except that it newly prohibits the solicitation or acceptance of contributions for a campaign for the nomination or election of a candidate or a campaign to initiate or influence a ballot measure on public property within 250 feet of the entrance to the voting place as well as within the voting place itself on election day.

The bill was carried over in the Senate to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1904 An Act To Amend Certain Laws Governing Elections

PUBLIC 636

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINIL	OTP-AM	H-776 SCHNECK J
BRYANTM	ONTP	S-408

This bill, submitted by the Secretary of State, makes the following changes to the laws governing elections.

- 1. It authorizes a municipal registrar of voters to use two additional methods for identifying and removing deceased voters from the voting rolls: a published obituary or a signed notice from an immediate family